

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOSEPH LUCCHESI,
Plaintiff,

v.

DAY & ZIMMERMAN,
GROUP, Inc.,
Defendant.

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CIVIL ACTION

№ 10-4164

ORDER

AND NOW, this 16th day of November, 2012, upon consideration of Defendant's Motion for Summary Judgment (Docket No. 31), Plaintiff's Opposition (Docket No. 32), Defendant's Reply (Docket No. 35) and following oral argument on May 23, 2012, it is hereby **ORDERED** that:

1. Defendant's Motion is **GRANTED**;
2. Plaintiff's Amended Consolidated Complaint is **DISMISSED** with prejudice;
3. Judgment is hereby entered in favor of Defendant and against Plaintiff; and
4. The Clerk of Court shall mark this case as **CLOSED** for all purposes, including statistics.

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE